

*The parties agree that the following articles and appendices shall become a part of the successor Agreement without change:*

Article 20 – Grievance Procedure and Arbitration

Article 26 – Maintenance of Benefits

*The parties further agree that except for the changes agreed to below, the following articles and Appendices shall become a part of the successor Agreement without change:*

Article 14 – Promotion Procedure

Article 16 – Disciplinary Action and Job Abandonment

14.5 Ranks of Promotion. The ranks of promotion shall consist of Assistant Professor, Associate Professor, Full Professor, Assistant University Librarian, Associate University Librarian, University Librarian, Instructor I, Instructor II, and Instructor III, Assistant in \_\_\_\_\_, Associate in \_\_\_\_\_, and Senior Associate in \_\_\_\_\_. Any Assistant in \_\_\_\_\_ or Associate in \_\_\_\_\_ previously notified to have been promoted before the ratification of this agreement shall be considered to be promoted properly under the terms of this Collective Bargaining Agreement.

#### 16.7 Job Abandonment

A. If an employee is absent without authorized leave for twelve (12) or more consecutive days or a consecutive period comprising more than 15% of a term-length teaching assignment during the summer term under the provisions of Article 17.1, the employee shall be considered to have abandoned the position and voluntarily resigned from the University. In addition, an employee who returns from an unauthorized leave of three (3) days or more and engages in another unauthorized leave of three (3) days or more within twelve (12) months of the start of the first unauthorized leave shall be subject to discipline. For the purposes of this section, an employee shall not be considered absent from a scheduled teaching assignment without authorized leave if the employee is making professionally-acceptable adjustments to the delivery of instruction to accommodate partial or complete university closures, other emergencies out of the control of the employee, or to accommodate travel required by or for the employee's position.

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Article 16.7

Disciplinary Action and Job Abandonment

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16.7 Job Abandonment

A. If an employee is absent without authorized leave for ~~seven (7)~~ **twelve (12)** or more consecutive days ~~or five (5) consecutive days during a summer~~ or a period of time that constitutes more than 15% of a term-length teaching assignment during a summer term, under the provisions of Article 17.1, the employee shall be considered to have abandoned the position and voluntarily resigned from the University. Under the provisions of Article 16.7 A, the employee who returns from an unauthorized leave and engages in another unauthorized leave of 3 days or more within a calendar year shall be subject to discipline, up to and including termination.

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**Article 14**  
**Promotion Procedure**

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**14.1 Policy.**

A. Promotion decisions are not based solely upon an employee's annual performance evaluations. Rather, the University, through its faculty, professional employees, and administrators, assesses the employee's potential for growth and scholarly contribution as well as past meritorious performance.

B. After completing one year of employment, employees eligible for consideration for promotion shall receive, if annually requested, an appraisal regarding their progress toward promotion. The appraisal shall be included as a separate component of the annual evaluation and is intended to provide assistance and counseling to candidates to help them to qualify themselves for promotion. The employee may request, in writing, a meeting with an administrator at the next higher level to discuss concerns regarding the promotion appraisal which were not resolved in previous discussions with the evaluator. The appraisals are not binding upon the University.

**14.2 Criteria.**

A. Promotion decisions shall be a result of meritorious performance and shall be based upon established criteria specified in writing by the University. These criteria shall be available to all faculty via the University's website. Colleges and departments/units may publish additional criteria and if so shall make these criteria available to employees via websites or in hard copy. University criteria may be modified so long as the local UFF Chapter has been notified of the proposed changes and offered an opportunity to discuss such changes in consultation with the President or representative. Changes in criteria shall not become effective until one (1) year following adoption of the changes, unless mutually agreed to in writing by the UFF President and the University President. The date of adoption shall be the date on which the changes are approved by the President or representative. Any proposal to develop or modify promotion criteria shall be available for discussion by members of the affected departments/units before adoption.

B. Promotion criteria shall be available in the department/unit office and/or at the college/unit level.

**14.3 Procedures.**

A. Recommendations for promotion shall begin with the employee's supervisor and shall be submitted to the appropriate officials for review. Prior to the consideration of the employee's promotion, the employee shall have the right and responsibility to review the promotion file and see that it is complete. The employee may attach a brief response to any material therein. The provisions of Articles 11.2 through 11.8 of this Agreement shall apply to the contents of the promotion file. If any material is added to the file after the commencement of consideration, other than the completion of the evaluation sections (including the recording of votes) of the file by the reviewing bodies/individuals, a copy shall be sent to the employee within five (5) days



(by personal delivery or by mail, return receipt requested). The employee may attach a brief response within five (5) days of his/her receipt of the added material. The file shall not be forwarded until either the employee submits a response or until the second five (5) day period expires, whichever occurs first. The employee shall have the right to review the file at each stage of review (i.e., department, college, campus) and attach a brief response to any materials contained therein, including the evaluation section(s), prior to the next stage of review.

B. Recommendations for promotion shall include a copy of applicable promotion criteria, the employee's annual assignments and annual evaluations, and, if the employee chooses, the employee's promotion appraisal(s). The reviewers at any stage in the review may request to view the appraisal(s).

14.4 Notice of Denial. If any employee is denied promotion, the employee shall be notified in writing by the appropriate administrative official, within ten (10) days or as soon as possible thereafter, of that decision. Upon written request by an employee within twenty (20) days of the employee's receipt of such decision, the University shall provide the employee with a written statement of the reasons why the promotion was denied.

14.5 Ranks of Promotion. The ranks of promotion shall consist of Assistant Professor, Associate Professor, Full Professor, Assistant University Librarian, Associate University Librarian, University Librarian, Instructor I, Instructor II and Instructor III.

**14.6 The Provisions of the ratified Memorandum of Understanding signed on February 19, 2010, are incorporated herein, and printed for reference purposes as Appendix "G" of this Collective Bargaining Agreement.**

**~~14.6 The University will develop the criteria for Instructor promotions in 2008-09. Applications for promotions in the Instructor track shall begin in the 2009-10 academic year.~~**

**14.67 The University and the UFF agree to discuss the possibility of establishing additional ranks of promotion for employees who are on non-tenure earnings appointments.**